A. Nos.2218 and 2221 of 2025
and
Arb. O.P. D. No.20040 of 2025

A.M. Eshwaramoorthy ... Applicant

Vs.

M/s. Five Star Business Finance Ltd. ... Respondent

ABDUL QUDDHOSE.J.,

These applications have been filed, aggrieved by the order dated 26.03.2025 passed by the learned Master, allowing the applications filed by the applicant, seeking to condone the delay of 109 days in re-presentation of Section 34 petition and another to condone the delay of 129 days in paying the deficit Court fee, on condition that the applicant pays cost of Rs.5,000/- each, totaling a sum of Rs.10,000/- to the Honourable Chief Justice Relief Fund within a period of four weeks from the date of the order.

2. The applicant in the affidavit filed in support of the aforesaid applications has given reasons for the delay in re-presentation of the Section 34 petition as well as for condoning the delay of 129 days in paying the deficit Court fee. According to the applicant, the delay was due to technical fault in e-Court service, as the uploaded documents were corrupted in the e-Court website and the same was also informed to the server room of e-Court service. Learned counsel appearing for the respondent has also not raised

any serious objection for allowing these applications. Since the applicants have stated that only due to technical fault in the e-Court service, there was delay, this Court is satisfied that sufficient cause has been shown by the applicant for condoning the delay. The learned Master ought to have taken note of the said fact and ought to have allowed the applications without imposing any cost.

3. For the foregoing reasons, the impugned order dated 26.03.2025 passed by the learned Master in A.Nos.974 and 975 of 2025 in Arb. O.P. D. No.20040 of 2025 is modified by condoning the delay of 109 days in re-presenting the Section 34 petition and the delay of 129 days in paying the deficit Court fee without payment of cost as directed by the learned Master under the impugned order. In terms of the aforesaid directions, A. Nos.2218 and 2221 of 2025 are disposed of. Registry is directed to number the Arb. O.P. D. No.20040 of 2025 if it is otherwise in order.

19.06.2025

ab

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and
Arb. O.P. D. No.20040 of 2025